# RULE 63 (37 C.F.R. 1.63) DECLARATION FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on thenvention entitled NON-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

	is attached hereto. was filed on as U.S. A was filed as PCT internation	Application Serial No. onal application No. PC	Γ/ / on	and (if applicable to U.S. or PC	CT application) was amended on
ame with certi	ndment referred to above. In 37 C.F.R. 1.56(a). I herebificate listed below and have	acknowledge the duty to by claim foreign priority also identified below an	o disclose information benefits under 35 y foreign application	ovedentified specification, including n which is material to the examination U.S.C. 119/365 of any foreign apple for patent or inventor's certificate was e filing date of this application:	n of this application in accordance ication(s) for patent or inventor's
	ior Foreign Application(s): pplication Number		Country		Day/Month/Year Filed
I he	reby claim the benefit under	35 U.S.C. §119(e) of an	y United States provi	sional application listed below:	
Pr Ap	ior Provisional Applicatior oplication Serial No.	ı(s):	Day/Month/Year l	Filed	
subj U.S.	ect matter of each of the cla	ims of this application is duty to disclose material	s not disclosed in suc information as defir	es and PCT international application in the manner provided in 37 C.F.R. 1.56(a) which occur cation:	yided by the first paragraph of 35
	ior U.S./PCT Application(soplication Serial No.	i):	Date/Month/Year		Status: patented, pending, abandoned
be ti	rue; and further that these sta	atements were made with ction 1001 of Title 18 of	hthe knowledge that	te and that all statements made on inf willful false statements and the like so de and that such willful false statements	so made are punishable by fine or
1)	Inventor's Signature	Linus Is	Fortewe	Date	12/21/2001
	Inventor's Name (typed)	Linus	G.	Fonkwe,	Cameroon
		First	Middle Initial	Family Name	Citizenship
	Residence (City)	High Point		State/Foreign Country)	NC USA
	Post Office Address	3981 River Pointe Place	<del> Apt. 111</del> (६ । श्री <sup>ह्या</sup>	3235 DERBY Zip Code	27265
2)	Inventor's Signature			Date	
	Inventor's Name (typed)	Don	Α.	Archibald	USA
		First	Middle Initial	Family Name	Citizenship
	Residence (City)	Jamestown		State/Foreign Country)	NC USA
	Post Office Address	4 Havershire Ct		Zip Code	27282
3)	Inventor's Signature			Date	<u> </u>
	Inventor's Name (typed)	Aristippos		Gennadios	Greece
	· /	First	Middle Initial	Family Name	Citizenship
	Residence (City)	Greensboro		State/Foreign Country)	NC USA
	Post Office Address	17 Topridge Court		Zip Code	27407-5110

FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

(4/98)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on theinvention entitled NON-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

hereby state that I have reviewed and understand the contents of the above dentified specification, including the claims, as amended by a mendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accorda ith 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventertificate listed below and have also identified below any foreign application for patent or inventor's certificate hang a filing date before that of the polication on which priority is claimed or, if no priority is claimed, before the filing date of this application:						
Prior Foreign Application(s Application Number	s):	Country	1	Day/Month/Year Filed		
I hereby claim the benefit und	er 35 U.S.C. §119(e) of a	ny United States provisio	nal application listed below:			
Prior Provisional Applicati Application Serial No.	on(s):	Day/Month/Year File	ed			
subject matter of each of the c U.S.C. 112, I acknowledge th prior applications and the nation	claims of this application e duty to disclose materi onal or PCT international	is not disclosed in such pal information as defined		ided by the first paragraph of red between the filing date o		
Prior U.S./PCT Application Application Serial No.	i(s):	Date/Month/Year Fil		tatus: patented, ending, abandoned		
I hereby declare that all statem	ents made herein of my o	own knowledge are true a	nd that all statements made on info	ormation and belief are believ		
be true; and further that these	statements were made w Section 1001 of Title 18	iththe knowledge that wil	and that all statements made on info lful false statements and the like so and that such willful false statement Date	o made are punishable by fin		
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FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

(4/98)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below nexto my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on their original non-GELATIN CAPSULE SHELL FORMULATION the specification of which (check applicable box(es)):

am wit cer	ereby state that I have revieendment referred to above. In the state of the state o	ewed and understand the I acknowledge the duty by claim foreign priorit also identified below a	ne contents of the above to disclose information or by benefits under 35 U. ny foreign application fo	and (if applicable to U.S. or PC dedentified specification, including which is material to the examination S.C. 119/365 of any foreign applion patent or inventor's certificate hair	the claims, as amended by any n of this application in accordance tion(s) for patent or inventor				
P	rior Foreign Application(s) pplication Number		Country	iling date of this application:	Day/Month/Year Filed				
I h	I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:								
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sub U.S	I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior prior prior in the manner provided by the first paragraph of 30 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:								
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FOR ADDITIONAL INVENTORS, check box sand attach sheet with same information and signature and date for each.

(4/98)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fonkwe, et al.

For: NON-GELATIN CAPSULE SHELL FORMULATION

Filed concurrently herewith. Serial Number to be assigned.

Commissioner for Patents Washington, D.C. 20231

#### POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of Linus G. Fonkwe, Don A. Archibald, and Aristippos Gennadios for U.S. Letters Patent for a NON-GELATIN CAPSULE SHELL FORMULATION, by assignment documents being recorded contemporaneously herewith, hereby appoints: LOUIS T. ISAF Reg. No. 29,078; JAMES F. VAUGHAN Reg. No. 31,889; STEVEN D. KERR Reg. No. 32,472; D. SCOTT SUDDERTH Reg. No. 34,026; MICHAEL A. CICERO Reg. No. 34,562; JOHN J. TIMAR Reg. No. 32,497; STEVEN L. SCHMID Reg. No. 39,358; DAVID J. HAYZER Reg. No. 43,329; DAVID S. BRADIN Reg. No. 37,783; JACQUELYN D. AUSTIN Reg. No. 43,478; CARL B. MASSEY, JR. Reg. No. 44,224; BRIAN J. HAIRSTON Reg. No. 46,750; THOMAS B. MCGURK, Reg. No. 44,920; KATHLEEN NEUNER MANNE, Reg. No. 40,101; WILLIAM A. CAPP, Reg. No. P-49,037; C. ROBERT RHODES, Reg. No. 24,200; JACK B. HICKS, Reg. No. 34,180; JEFFREY R. MCFADDEN, Reg. No. 46,916; LEWIS S. ROWELL, Reg. No. 45,469; and CRAIG H. POPALIS Reg. No. 49,028, with the firm of Womble Carlyle Sandridge & Rice, PLLC, as my attorneys and/or agents with full power of substitution and revocation, to prosecute

this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Furthermore, in accordance with 37 CFR '3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

## PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:

Jack B. Hicks, Esq.
Womble Carlyle Sandridge & Rice, PLLC
300 N. Greene Street
Suite 1900
Greensboro, NC 27401
Tel: 336-574-8050

BANNER PHARMACAPS, INC.

Charles L. Cain

Senior Vice President, Legal and Public Affairs

Date: 1/4/02

Attorney File No.: 4700-083 (04700.467.4)